

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Case No. 10-cr-210-pp

Plaintiff,

v.

JAMESON RANDLE,

Defendant.

**ORDER DENYING LETTER REQUESTS FOR HEARING
(Dkt. Nos. 350, 351)**

On July 14, 2011, Judge Charles N. Clevert, Jr. sentenced the defendant to serve 120 months in custody. Dkt. Nos. 214, 213.

On March 15, 2017, the court received a letter from the defendant, asking for an “opportunity to be heard” so that he could receive credit for time he served “in the county.” The defendant indicates that Judge Clevert told him at sentencing that Judge Clevert would credit him for time served “in the county.” Id. On August 31, 2017, the court received a second letter from the defendant, asking for “the opportunity to be heard,” stating that “surely the record will reflect that I served county time on this case which I wasn’t credited for” He refers the court to his plea agreement. Dkt. No. 351.

Judge Clevert has retired from the bench. This case has been assigned to Judge Pepper.

Paragraph 23 of the plea agreement filed on March 16, 2011 states, “The parties agree that the defendant’s conduct which forms the basis for his

conviction for possession with intent to distribute heroin, in Milwaukee County Circuit Court, Case No. 2009CF000503, was part of the instant offense, and thus does not constitute a prior sentence under U.S.S.G. § 4A1.2. The government further agrees to recommend that any sentence in the instant case be ordered to run concurrently with Randle's sentence in the Milwaukee County case." Dkt. No. 156 at 7-8.

Judge Clevert issued the judgment on July 14, 2011. Dkt. No. 213. On page two of that order, under "Imprisonment," Judge Clevert ordered the following: "The defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of one-hundred twenty (120) months as to the Superseding Information. This sentence shall run concurrently with Milwaukee County Circuit Court Case No. 09CF503. In accordance with 5G1.3(c) the defendant is to receive credit for 308 days." Id. at 2.

There is no reason for the court to schedule a hearing. It appears that Judge Clevert did exactly what he told the defendant he would do, and exactly what the plea agreement called for. If the defendant believes that the Bureau of Prisons has incorrectly calculated his credit, he should address that with the Bureau of Prisons. The court has attached a copy of the judgment to this order

as a courtesy to the defendant.

The court **DENIES** the defendant's letter requests to schedule a hearing.

Dkt. Nos. 350, 351.

Dated in Milwaukee, Wisconsin this 18th day of December, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read "PAMPEPPER". It is positioned above a horizontal line.

HON. PAMELA PEPPER
United States District Judge